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DoD/FEA Exhibit 1

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE JOINT
APPLICATION OF QWEST
CORPORATION, QWEST
COMMUNICATIONS COMPANY, LLC,
QWEST LD CORP. dba QWEST LONG
DISTANCE, EMBARQ PAYPHONE
SERVICES, INC. AND CENTURYTEL
SOLUTIONS, LLC FOR APPROVAL OF
THE PROPOSED MERGER OF THEIR
PARENT CORPORATIONS QWEST
COMMUNICATIONS INTERNATIONAL
INC. AND CENTURYTEL, INC.

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THE UNITED STATES DEPARTMENT
OF DEFENSE AND ALL OTHER
FEDERAL EXECUTIVE AGENCIES'
INITIAL TESTIMONY

INITIAL TESTIMONY

of

CHARLES W. KING

On Behalf of

THE DEPARTMENT OF DEFENSE

And

ALL OTHER FEDERAL EXECUTIVE AGENCIES

Arizona Corporation Commission

DOCKETED

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**INITIAL TESTIMONY OF
CHARLES W. KING**

QUALIFICATIONS

Q. PLEASE STATE YOUR NAME, POSITION AND BUSINESS ADDRESS.

A. My name is Charles W. King. I am President of the economic consulting firm of Snavely King Majoros & O'Connor, Inc. ("Snavely King"). My business address is 1111 14th Street, N.W., Suite 300, Washington, D.C. 20005.

Q. PLEASE DESCRIBE SNAVELY KING.

A. Snavely King, formerly Snavely, King & Associates, Inc., was founded by the late Carl M. Snavely and myself in 1970 to conduct research on a consulting basis into the rates, revenues, costs and economic performance of regulated firms and industries. The firm has a professional staff of 12 economists, accountants, engineers and cost analysts. Most of its work involves the development, preparation and presentation of expert witness testimony before federal and state regulatory agencies. Over the course of its 40-year history, members of the firm have participated in over 1000 proceedings before almost all of the state commissions and all Federal commissions that regulate telecommunications, utilities or transportation industries.

Q. HAVE YOU PREPARED A SUMMARY OF YOUR QUALIFICATIONS AND EXPERIENCE?

A. Yes. Attachment A is a summary of my qualifications and experience.

Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY IN REGULATORY PROCEEDINGS?

A. Yes. Attachment B is a tabulation of my appearances as an expert witness before state and federal regulatory agencies. It shows that I have testified before the public utility commissions of over 40 states, including Arizona, and I have

1 appeared before all federal agencies that regulate telecommunications, utilities,
2 transportation and postal services.

3 **Q. FOR WHOM ARE YOU APPEARING IN THIS PROCEEDING?**

4 I am appearing on behalf of the consumer interests of the Department of Defense
5 ("DoD") and all other Federal Executive Agencies ("FEA") in Arizona.
6

7 **INTERESTS OF DoD/FEA**
8

9 **Q. WHY HAS DoD/FEA INTERVENED IN THIS CASE?**
10

11 A. The Department of Defense and all other Federal Executive Agencies have a
12 substantial presence in the State of Arizona. Several major military installations
13 are located in Arizona, including Fort Huachuca, Davis-Monthan Air Force Base,
14 Yuma Proving Ground and Luke Air Force Base. In addition, the Federal
15 presence also exists in major facilities such as the Department of Veterans Affairs
16 Medical Centers in Phoenix and Tucson, and Federal Buildings and Courthouses
17 in Phoenix and Tucson. Moreover, in the affected service area there are
18 numerous and widespread small-business sized offices such as Armed Forces
19 recruiters, Post Offices, Social Security offices, as well as offices housing Fish
20 and Wildlife Service, National Parks, USDA Forest Service and Farm
21 Service/Agricultural employees and agents. Federal employment (Civilian and
22 Active Duty Military) in Arizona exceeds 60,000 persons.
23

24 This very substantial presence makes DoD/FEA one of the largest users of
25 telecommunications services in the state of Arizona.¹ It is important to DoD/FEA
26 that services in the affected exchanges are provided in an efficient manner, at
27 reasonable cost, and with the highest service quality and performance. DoD/FEA

¹ Although in aggregate DoD/FEA is one of the largest users, it obtains a broad variety of services. Individual customer locations cover a wide range of sizes, employing the full panoply of telecommunications services from single-line business service to complex, multimodal and specially designed networks.

1 is concerned that any change in Qwest's corporate governance be seamless and
2 not degrade retail services, and that CenturyLink be willing and able to offer
3 state-of-the-art retail business services of the nature that DoD/FEA operations
4 require.

5
6 Moreover, the DoD/FEA interest goes beyond the locations directly affected by
7 the transition. Where possible, DoD and FEA telecommunications services are
8 procured under contract through competitive bidding. The effectiveness of the
9 competitive procurement process is, of course, dependent upon there being a
10 number of financially strong and technically capable entities that can submit bids.
11 If the proposed transfer is approved, it is important to DoD/FEA that
12 CenturyLink's competitors have the opportunity to access Federal installations on
13 a fair and reasonable basis through CenturyLink facilities and that CenturyLink be
14 able to render service to Federal locations even outside of its service territories.
15 Moreover, CenturyLink itself must be a sophisticated competitive bidder capable
16 of providing the full range of telecommunications services at reasonable costs to
17 the Federal government.

18
19 The merged company will also be a wholesale provider of services and facilities
20 to competitive retail telecommunications providers. The service quality
21 performance, the practices, and the operations of that company must support fair
22 and effective competition among carriers in providing services to business
23 customers and the general public in Arizona.

24
25 Unfortunately, the record of recent telecommunications acquisitions has not been
26 encouraging.

PREVIOUS TELECOMMUNICATIONS ACQUISITIONS

Q. WHAT PREVIOUS TELECOMMUNICATIONS ACQUISITIONS ARE YOU REFERRING TO?

A. I am referring to the three recent major Verizon landline spin-offs to acquiring companies. The first was the acquisition of Verizon's Hawaiian landline assets by The Carlyle Group ("Carlyle"). The second was the purchase of Verizon's northern New England wireline operations by FairPoint Communications ("FairPoint"). The third and most recent was the acquisition of Verizon's non-metropolitan operations in 14 states by Frontier Communications.

Q. PLEASE DESCRIBE THE HAWAIIAN TELEPHONE TRANSACTION.

A. The Hawaiian transaction provides a case study of the difficulties that ill-advised telephone company acquisitions can lead to. It was unsuccessful in almost all respects, resulting in severe service degradation to Hawaiians and in the financial failure of the successor company.

In 2004, Verizon sought approval to sell its Hawaiian assets to Carlyle, a private equity enterprise. Carlyle created a new entity, Hawaiian Telcom, Inc. ("HT"), to provide the local exchange services previously offered by Hawaiian Telephone. The applicants in that case stated that after the transition HT "will have the financial fitness and ability to fund the continuing operations of Verizon Hawaii through the revenue generated from the existing and proposed operations."² Likewise, the applicants stated that they "... acknowledge the importance of ensuring a seamless transition for customers and have conducted a rigorous process to select a world-class systems integrator to replicate the full functionality of the systems currently provided by Verizon."³ In 2005, the Hawaii Public

² Application, Docket No. 04-0140, June 21, 2004, pp. 13-14.

³ *Id.*, p. 15.

1 Utilities Commission ("HPUC") approved the transfer subject to numerous
2 conditions.⁴
3

4 In its decision approving the sale, the HPUC stated that it would initiate an
5 investigation of HT's service quality approximately six months after HT assumed
6 the back-office operations that Verizon previously provided on a national basis to
7 all of its service territories, including Hawaii. This service quality proceeding,
8 HPUC Docket No. 2006-0400, confirmed that the transition from Verizon was far
9 from seamless or harmless to customers. Although the HPUC has not yet
10 rendered a decision in that proceeding, it is undisputed that for more than a year
11 following the cutover from Verizon's back-office operations, HT was unable to
12 collect data – even manually – as to six service standards for which the HPUC
13 required reports.⁵ Thus, the full extent of the problems associated with the
14 transfer could not even be quantified.
15

16 As to the seven service standards for which HT was able to file reports, five dealt
17 with call answering time. HT's ability to answer calls was lacking compared to
18 the experience under Verizon. For example, during the nine months following the
19 cut-over, HT's percent of residential installation and billing office calls answered
20 in 20 seconds ranged from a low of 8.01 percent to a high of 70.37 percent,
21 compared to the objective of 85 percent and Verizon's 2005 percentage of 87.46
22 percent. Likewise, the answering time achieved for business installation and
23 billing office calls following the cut-over ranged from 12.83 percent to 78.82
24 percent compared with the objective of 85 percent and Verizon's achieved rate of
25 88.23 percent.⁶ In an effort to repair the damage caused by the non-functioning
26 systems, HT had to replace the contractor working on the transition.⁷
27

⁴ Docket No. 04-0140, Decision and Order No. 21696, March 16, 2005.

⁵ HT's Post-Hearing Brief, HPUC Docket No. 2006-0400, filed November 9, 2007 at p. 118, fn. 101. The missing reports included crucial data such as the percent of trouble reports cleared within 24 hours, the percent of installation and repair commitments met and customer trouble reports per 100 lines.

⁶ HT's February 15, 2007 Statement of Position, HPUC Docket No 2006-0400, pp. 39-41.

⁷ *Id.*, pp. 74-77.

1 HT admitted in its pleadings that service suffered as a result of the transition from
2 Verizon and that it created erroneous bills and was unable to handle adequately
3 incoming calls.⁸ HT candidly admitted that "... the cutover did unfortunately
4 create some negative impacts on its customers."⁹ Finally, HT agreed with the
5 assessment of the Consumer Advocate that its "... retail customers following
6 cutover experienced long waiting times to reach [its] contact center, extremely
7 slow and long transaction processing times, high levels of fall out, long waiting
8 times to repair, missed or delayed installation and repair commitments and billing
9 errors."¹⁰

10
11 The cutover from Verizon's back-office operations also caused significant
12 problems for HT's wholesale customers. One Competitive Local Exchange
13 Carrier ("CLEC"), Time Warner Telecom of Hawaii, L.P. ("TWTC"),
14 summarized the problems as follows:

15 HT's conversion to its new back office systems was a failure by
16 any measure. Immediately following cutover, virtually none of the
17 wholesale back office systems were functioning. Today, 19
18 months after cutover, they are still not functioning at the same
19 level as the Verizon systems. Although HT has made significant
20 progress in addressing its issues, those efforts are not complete.

21
22 HT violated the Merger Decision and the Stipulation by failing to
23 provide the same or similar functionality for wholesale service as
24 previously provided by Verizon, and by failing to remain on the
25 Verizon systems until HT's new systems were fully tested and
26 operational. These violations significantly harmed TWTC and
27 HT's other customers.¹¹

28
29 In summary, the applicants in the Hawaii sale promised a seamless transition to
30 HT's back-office systems, but the record in that case – including HT's own

⁸ *Id.*, pp. 53-57.

⁹ HT's August 31, 2007 Final Position Statement, HPUC Docket No. 2006-0400, p. 21.

¹⁰ *Id.*, p. 7.

¹¹ Time Warner Telecom of Hawaii, L.P., dba Oceanic Communications' Post-hearing Brief, HPUC Docket No. 2006-0400, November 9, 2007, p. 2 (footnote omitted). The text of the brief contains a detailed description of HT's numerous failures in connection with providing wholesale service after acquiring the Verizon exchanges, and the adverse impact that the failures had on Time Warner and its customers. Another CLEC, Pacific LightNet, Inc., filed a Post-hearing Brief asserting that the flawed transfer of operations caused it to incur additional expense to resolve interconnection problems and billing errors.

1 pleadings -- shows that both wholesale and retail customers suffered significantly
2 from the failure of automated systems, dropped calls, long call answering and
3 holding times, billing errors and costly manual efforts to correct the deficiencies.
4 HT was not able to track repair and installation times, so that data for these
5 critical service quality metrics could not even be assessed in determining the
6 adverse effects of the transition to HT's systems.

7
8 On December 1, 2008, HT filed for Chapter 11 bankruptcy protection.¹² The
9 public explanation for the bankruptcy was the impending inability to refinance its
10 debt, but the costs and lost customers resulting from HT's poor service quality
11 probably contributed to the Company's inability to service its debt.

12
13 **Q. PLEASE DESCRIBE VERIZON'S SALE OF NEW ENGLAND**
14 **OPERATIONS TO FAIRPOINT.**

15
16 **A** At the beginning of 2007, FairPoint was an incumbent local exchange
17 telecommunications company with about 330,000 access lines. In that year,
18 Verizon New England, Inc., FairPoint, and affiliated firms announced a planned
19 \$2.4 billion transaction, similar in some respects to that proposed in Arizona (but
20 smaller in size), under which FairPoint would obtain Verizon's landline
21 businesses in Maine, New Hampshire and Vermont.

22
23 The proposed transaction was controversial and the implementation of the sale
24 was seriously flawed. In Vermont, for example, the Public Service Board initially
25 denied the application. The petitioners submitted a revised proposal in which
26 they improved the transaction from the standpoint of ratepayers in several ways.
27 The revised proposal bettered FairPoint's financial standing after the acquisition
28 by substantially reducing the initial debt and decreasing dividends. In addition,
29 the proposal was revised to include a Performance Enhancement Plan, which was

¹² See Hawaiian Telcom Communications, Inc., Securities and Exchange Commission Form 8-K filed December 1, 2008, and HT's December 1, 2008 Press Release contained in that filing.

1 designed to prompt more investment and improve service quality by mandating
2 that FairPoint set aside funds if it failed to meet certain specified service
3 standards. Also, FairPoint agreed to an independent monitor of the transition
4 from Verizon's systems to its own, with the objective of making the transition
5 more seamless and further safeguarding consumers.¹³

6
7 The Vermont Public Service Board approved the transfer with additional
8 conditions on February 15, 2008.¹⁴ Following the transaction, there began a
9 series of "cutover" problems that are still not fully resolved. Indeed, service
10 deteriorated to the extent that the Board called for an investigation into whether
11 the Company should be allowed to continue its operations in the state if it cannot
12 overcome its customer service, billing and operational problems.¹⁵

13 On October 26, 2009, FairPoint announced that it had filed for Chapter 11
14 bankruptcy protection.¹⁶

15 **Q. HAVE THERE BEEN SERVICE PROBLEMS WITH THE SALE OF**
16 **VERIZON'S EXCHANGES TO FRONTIER COMMUNICATIONS?**

17 A. On May 13, 2009, Frontier Communications and Verizon entered into an
18 Agreement and Plan of Merger (the "Merger Agreement") under which Frontier,
19 through the acquisition of stock, would acquire approximately 4.8 million access
20 lines owned by subsidiaries of Verizon in Arizona, Idaho, Illinois, Indiana,
21 Michigan, Nevada, North Carolina, Ohio, Oregon, South Carolina, Washington,
22 Wisconsin and West Virginia as well as a small number of access lines in
23 California bordering Arizona, Nevada and Oregon. The sale was consummated in
24 the spring of 2010 and is so recent that it cannot yet be determined whether this

¹³ Vermont Public Service Board Docket No. 7270, Order entered February 15, 2008.

¹⁴ *Id.*

¹⁵ Vermont Docket No. 7270 Information Page at <http://www.state.vt.us/psb/document/>. This testimony has focused on Vermont, but the problems exist in the other states as well. For example, on July 29, 2009, the *Bangor Daily News* reported that the Maine Public Utilities Commission refused to waive the financial penalties that FairPoint had incurred for poor service performance.

¹⁶ FairPoint Form 8-K, filed with the Securities and Exchange Commission, October 26, 2009.

1 transition will be more successful than the two previous transactions, but there are
2 already disturbing indications.

3 On July 21, 2010, FiberNet, a competitive local exchange carrier, filed a Petition
4 to Reopen the Frontier/Verizon authorization proceeding in West Virginia.
5 FiberNet cited a number of problems it allegedly experienced when attempting to
6 order wholesale services through Frontier's operational support systems (OSS).
7 FiberNet asserted that the various problems have created delays in providing
8 service to FiberNet customers and increased costs for FiberNet. FiberNet
9 requested that the Commission reopen this matter and direct Frontier to provide
10 an OSS that is functionally equivalent to the system previously provided by
11 Verizon. The West Virginia Public Service Commission has established a
12 complaint proceeding to deal with FiberNet's alleged problems.¹⁷ DoD/FEA
13 Exhibit 2 is a copy of the Commission's Order. It remains to be seen whether the
14 difficulties experienced by FiberNet are discrete to that company or are part of a
15 wider deterioration in service.

16 Additionally, it appears that the very favorable cost-benefit ratios claimed by
17 Frontier may have begun to unravel. Frontier and Verizon had stated that Frontier
18 expected the fully implemented transaction would yield annual operating expense
19 savings of \$500 million.¹⁸ Recently, however, Frontier revealed a significant
20 increase in systems integration costs that cuts into the previously heralded
21 savings:

22 While we anticipate that certain expenses will be incurred, such
23 expenses are difficult to estimate accurately, and may exceed
24 current estimates. For example, our estimate of expected 2010
25 capital expenditures related to integration activities has recently
26 increased from \$75 million to \$180 million, attributable in large
27 part to costs to be incurred in connection with third-party software
28 licenses necessary to operate the Spinco business after the closing

¹⁷ West Virginia PSC Order of August 16, 2010 in Case No. 09-0871-T-PC.

¹⁸ Verizon Communications Inc. and Frontier Communications Corp. Application to the Federal Communications Commission, *Consolidated Application for Transfer of Control and Assignment of International and Domestic Section 214 Authority*, May 28, 2009, Exhibit 1 (Description of the Transaction and Public Interest Statement), p. 3.

1 of the merger. Accordingly, the benefits from the merger may be
2 offset by costs incurred or delays in integrating the companies.¹⁹
3

4 **Q. WHAT IS THE LESSON FROM THESE PREVIOUS ACQUISITIONS?**

5 A. All of these transactions were described as seamless and of no harm to consumers,
6 much as this transaction in Arizona has been described by CenturyLink and
7 Qwest. Events proved otherwise in each case. In view of this history, this
8 Commission must view with great suspicion the Applicants' statements that there
9 will be no impact on customers from the transfer. Indeed, CenturyLink itself
10 acknowledges the very substantial risks associated with this merger. The
11 following is an excerpt is from CenturyLink's second quarter 2010 SEC Form
12 10-Q.
13

14 We expect to incur substantial expenses in connection with
15 completing the Qwest merger and integrating Qwest's business,
16 operations, networks, systems, technologies, policies and
17 procedures of Qwest with ours. There are a large number of
18 systems that must be integrated, including billing, management
19 information, purchasing, accounting and finance, sales, payroll and
20 benefits, fixed asset, lease administration and regulatory
21 compliance. While we have assumed that a certain level of
22 transaction and integration expenses would be incurred, there are a
23 number of factors beyond our control that could affect the total
24 amount or the timing of our integration expenses. Many of the
25 expenses that will be incurred, by their nature, are difficult to
26 estimate accurately at the present time. Moreover, we expect to
27 commence these integration initiatives before we have completed a
28 similar integration of our business with the business of Embarq,
29 acquired in 2009, which could cause both of these integration
30 initiatives to be delayed or rendered more costly or disruptive than
31 would otherwise be the case. Due to these factors, the transaction
32 and integration expenses associated with the Qwest merger could,
33 particularly in the near term, exceed the savings that we expect to
34 achieve from the elimination of duplicative expenses and the
35 realization of economies of scale and cost savings related to the
36 integration of the businesses following the completion of the
37 merger. As a result of these expenses, we expect to take charges
38 against our earnings before and after the completion of the merger.

¹⁹ Frontier Communications, Inc., Form 10-Q, filed May 16, 2010, p. 56.

1 The charges taken after the merger are expected to be significant,
2 although the aggregate amount and timing of such charges are
3 uncertain at present. Following the Qwest merger, the combined
4 company may be unable to integrate successfully our business and
5 Qwest's business and realize the anticipated benefits of the
6 merger.²⁰
7

8 I have attached the full Form 10-Q discussion of merger risks as DoD/FEA
9 Exhibit 3.
10

11 I therefore believe it is important that this Commission establish safeguards to
12 ensure that the difficulties that arose in these previous transactions will not be
13 repeated in Arizona.
14

15 **ASSESSMENT OF THE TRANSACTION**
16

17 **Q. DO YOU OPPOSE THIS TRANSACTION?**
18

19 A. Not necessarily. Although I have some reservations which I will discuss, there are
20 a number of features of this transaction that are more promising than those of the
21 previous acquisitions. CenturyLink is a much larger, more experienced and
22 financially healthier company than the Carlyle Group, FairPoint or Frontier.
23 Unlike the previous acquisitions, this transaction is a stock transfer that involves
24 no new debt. So far, the record of CenturyLink's acquisitions has been relatively
25 trouble-free. The combined company will display a much stronger balance sheet
26 relative to that of Qwest at the present time. With appropriate conditions, I believe
27 the merger may be in the public interest.
28

29 **Q. WHAT, THEN, IS YOUR CONCERN IN THIS PROCEEDING?**
30

31 A. I am concerned that the transition from Qwest to CenturyLink be as seamless as
32 possible and that there be no rate increases, disruptions, or other service quality

²⁰ CENTURYTEL INC, Form 10-Q, filed August 6, 2010, p. 32. See DoD/FEA Exhibit 3.

1 losses arising from this transaction. In this testimony, I recommend several
2 conditions that should be imposed on the merged company as part of the approval
3 of the transaction.
4

5 These conditions relate to two principal areas of concern to DoD/FEA. The first
6 is the financial stress than may be imposed on the merged company's Arizona
7 operations. The second is the maintenance of adequate service quality in the
8 Arizona exchanges.
9

10 **FINANCIAL STRESS ON ARIZONA OPERATIONS**
11

12 **Q. WHY ARE YOU CONCERNED ABOUT THE FINANCIAL HEALTH OF**
13 **THE ARIZONA OPERATIONS?**
14

15 A. CenturyLink asserts that the merger of its company with Qwest will generate
16 annual synergies of \$625 million.²¹ These synergies are expected to take the form
17 of reduced corporate overheads, network and operational efficiencies, IT support,
18 increased purchasing power, and the combining of the two companies' advertising
19 and marketing programs. As the foregoing excerpt from CenturyLink's Form 10-
20 Q concedes, these synergies are difficult to forecast with precision, and they may
21 not develop as expected.
22

23 How many of these synergies will accrue to Arizona is open to question.
24 Certainly, there will be no synergies from combining operations in Arizona
25 because CenturyLink currently has no presence in the state. The Application is
26 emphatic that Qwest will continue to operate exactly as it does now, so that
27 subscribers will see no difference in the services following the transaction relative
28 to the present. If so, then the greatest benefits of the synergies will be found
29 elsewhere, presumably in those states where both CenturyLink and Qwest
30 operate.

²¹ Direct Testimony of Jeff Glover, p.13.

1
2 Whatever the synergies, they come at a substantial cost. The Applicants estimate
3 that there will be one-time operating costs of \$650 to \$850 million to achieve the
4 planned synergies nationwide. On top of that an additional \$150 to \$200 million
5 in capital costs will be required.²² These costs are estimates, and the Company
6 concedes that they could be exceeded, as has happened in all three of the
7 acquisitions discussed earlier in this testimony. Moreover, these costs will be
8 incurred before the benefits of the synergies are felt, so that they represent a net
9 new requirement for funds. Left unstated is where the money for these transition
10 costs will come from.

11
12 It is possible that some of the money might come from new bond and stock issues,
13 but there are downsides to these sources of funds. At present, CenturyLink is
14 rated by S&P just above the critical BBB- rating that qualifies its bonds for
15 "investment grade", meaning that fiduciary funds, such as pension and insurance
16 funds, can buy the bonds. Qwest is rated just below that threshold. The combined
17 company will thus be on the cusp of investment grade bond ratings. Any
18 substantial increase in debt would push the company below that important
19 threshold, eliminating a portion of its potential bond market and possibly
20 increasing its interest costs.²³ Additional stock sales would dilute the value of the
21 existing shares, depriving the stockholders of the full promised benefits of the
22 merger. It is therefore likely that the Company will avoid these financing sources
23 if it can find the needed funds elsewhere.

24
25 An important source of funds elsewhere will be the company's customers, and
26 that is the source of my concern. As an alternative to bond or stock sales,
27 CenturyLink may look to its local operations, including those in Arizona, to meet
28 the urgent requirement to increase revenue.

29

²² *Id.*, p. 6, fn. 8.

²³ Moody's Investor Services noted that CenturyLink is committed to an investment grade rating. See Direct Testimony of Jeff Glover, p. 18.

1 **Q. WHERE MIGHT THE MERGED COMPANY FIND ADDITIONAL**
2 **REVENUE IN ARIZONA?**

3
4 A. Where the merged company can find additional revenue is dependent on the
5 extent to which competition limits its ability to increase rates unilaterally. This
6 very issue was recently addressed by the Federal Communications Commission
7 ("FCC") in its response to a request from Qwest for "forbearance" from FCC
8 regulation of certain services in the Phoenix Metropolitan Statistical Area
9 ("MSA"). Qwest had argued that competition was sufficiently strong in the
10 Phoenix area to preclude the possibility of its being able to sustain small but
11 significant unilateral rate increases, which are the indicators of "market power".
12 The FCC rejected Qwest's application, finding that Qwest indeed retained market
13 power, particularly for the "last mile" local loop component of the
14 telecommunications network.²⁴

15
16 The FCC assessed the state of competition in both the wholesale and retail market
17 segments in the Phoenix MSA.²⁵ It found that cable companies, such as Comcast,
18 offer substitute telephone service to residential customers, but that wireless
19 service does not provide price-constraining competition.²⁶ Importantly, the FCC
20 summarized its findings for business and wholesale customers as follows:

21
22 Under this analysis and based on the data in the record, Qwest fails
23 to demonstrate that there is sufficient competition to ensure that, if
24 we provide the requested relief, Qwest will be unable to raise
25 prices, discriminate unreasonably, or harm consumers. For
26 example, the record reveals that no carrier besides Qwest provides
27 meaningful wholesale services throughout the Phoenix
28 marketplace, and that competitors offering business services

²⁴ In the Matter of Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. §160(c) in the Phoenix, Arizona Metropolitan Statistical Area, WC Docket No. 09-135, *Memorandum Opinion and Order* (FCC 10-113, released June 22, 2010) ("Arizona Forbearance Order").

²⁵ Although the FCC's findings are limited to the Phoenix MSA, it is unlikely that Qwest has less market power in the other parts of its Arizona service area, given the size and urban nature of the Phoenix MSA compared to its overall service area.

²⁶ *Arizona Forbearance Order*, para. 57.

1 largely must rely on inputs purchased from Qwest itself to provide
2 service.²⁷
3

4 The FCC's findings provide the basis for evaluating the relative ability of Qwest
5 to extract additional revenue by means of unilateral price increases from its three
6 primary retail markets, residential, small commercial and large "enterprise"
7 commercial.
8

9 If, as the FCC finds, wireless is not a price-constraining competitor, then the only
10 effective price competition for residential telephone service must come from the
11 Voice over Internet Protocol ("VoIP") service offered by the cable TV companies
12 and Internet service providers such as Vonage.
13

14 A cable company offering VoIP will also provide Internet access. That being the
15 case, Qwest's response is to offer its own "triple play" package of telephone,
16 cable TV and Internet access or even a "quadruple play" package with the
17 addition of wireless service from other providers.²⁸ In light of the fierce
18 competition for these services, it is unlikely that Qwest could sustain significant
19 rate increases either for its residential wireline service or its residential multi-
20 service bundles.
21

22 Small business wireline service is another matter. Businesses require fixed
23 telephone access with publicly available number identification. They may use
24 wireless in addition to wireline, and they may use VoIP for long-distance service,
25 but they are still heavily dependent on the conventional telephone, at least for
26 inbound local access. Cable TV companies that offer telephone services over
27 their facilities do not have the same marketing advantage for business users
28 because businesses are usually not interested in broadcast television capabilities at
29 the workplace. Therefore, while Cable TV companies may market to businesses,

²⁷ *Id.*, para. 2. The FCC's detailed findings as to Qwest's market power in the market for enterprise business services are set forth at paras. 87-91 and 99.

²⁸ Neither Qwest nor CenturyLink directly offers its own wireless service.

1 they are somewhat less of a competitive threat than in the residential market. In
2 recent years, Competitive Local Exchange Carriers ("CLECs") provided some
3 competition, but that competition is small and declining. As of June 30, 2009
4 only 33.5 percent of the land lines in Arizona were handled by competitive
5 carriers, down from 36.8 percent a year earlier.²⁹ Furthermore, as the FCC has
6 noted, these competitors principally use Qwest facilities to access their customers.

7
8 From these indications, I suspect that the merged company will probably seek
9 additional revenues from the small business market. That additional revenue is
10 likely to take the form of unilateral rate increases.

11
12 The "enterprise" market is the most competitive of the three major segments of
13 wireline telephone market, although the FCC has found that even this market is
14 susceptible to Qwest's control of the "last mile" local loops. Most services in this
15 category are procured through competitive bidding, and the prices paid are
16 generally subject to contract and not publicly disclosed. Even if the prices were
17 publicly identified, they would likely not be comparable to tariff services because
18 so much of enterprise service comes in the form of "bundles" of service elements.

19
20 But enterprise service does not exist in a vacuum. The ultimate ceiling on any
21 competitive bid is the price that would be paid if the same services were
22 purchased from the carrier's public tariff. When the published rates increase, that
23 ceiling increases, providing more headroom for the competitors to increase their
24 bids. Thus, even though enterprise customers can solicit competing bids, they still
25 may experience an upward shift in those bids when the published rates for basic
26 business services increase.

27

²⁹ Federal Communications Commission, "Local Telephone Competition: Status as of June 30, 2009", Table 8.

1 Based on the foregoing, I believe that basic business services are most susceptible
2 to unilateral rate increases motivated by the need to raise revenue to implement
3 the merger.
4

5 **Q. IS IT IN THE PUBLIC INTEREST FOR THE MERGED COMPANY TO**
6 **EXTRACT UNILATERAL RATE INCREASES IN THE ARIZONA**
7 **MARKETS TO FUND THE MERGER?**
8

9 A. No. This transaction is in the public interest only if the public is no worse off
10 with the merger than without it. If the merged company increases its rates
11 unilaterally to fund the merger, then its customers would have been better off if
12 the merger had never taken place.
13

14 **Q. WHAT IS THE RESOLUTION OF THIS PROBLEM?**
15

16 A. The resolution is to impose a temporary price cap on basic business services to be
17 effective until the synergies of the merger begin to be realized. By then, the need
18 for additional revenue to fund the transition, including the direct costs of the
19 merger, will have abated.
20

21 **Q. WHAT BASIC BUSINESS SERVICE PRICES SHOULD BE CAPPED?**
22

23 A. The basic business service rates that should be capped are single and multiple line
24 business rates, PBX and Centrex charges, and the rates for special access services.
25

26 **Q. HOW LONG SHOULD THIS TEMPORARY PRICE CAP REGIME**
27 **LAST?**
28

29 A. CenturyLink anticipates that synergies will only be fully recognized over a three
30 to five year period following closing of the merger.³⁰ I therefore recommend that

³⁰ Direct Testimony of Jeff Glover, p. 6.

1 there be firm price caps for up to three years after the consummation of the
2 merger. In fairness to the Company, any longer term price cap, such as five years,
3 should be adjusted to an inflation index such as the Gross Domestic Product
4 ("GDP") deflator.

5 **Q. IS YOUR RECOMMENDATION TO PLACE A LIMITED PRICE CAP ON**
6 **BASIC BUSINESS RATES FOLLOWING THE MERGER A DEPARTURE**
7 **FROM THE COMMISSION'S CURRENT REGULATORY SCHEME FOR**
8 **QWEST?**

9 **A.** The current regulatory scheme for Qwest was established by the Commission in
10 Decision No. 68604 in 2006 when it approved the present Price Cap Plan. That
11 decision divided Qwest's retail services into three baskets. Basket 1, consisting of
12 basic residential services, was subject to a hard cap. Basket 2, consisting of basic
13 business services, was subject to increases up to 25 percent annually. All
14 remaining retail services in Basket 3 were freed from any price regulation. The
15 business rates which I have proposed to cap are included in Baskets 2 and 3. My
16 recommendation temporarily suspends the pricing flexibility provisions in the
17 Price Cap Plan for only these services. This limited suspension, however, is
18 necessary until the pressure to increase rates on business services to cover the
19 merger-related costs passes. Absent such a suspension of pricing flexibility,
20 business customers such as DoD/FEA cannot conclude that they will suffer no
21 harm as a result of the merger. That is because Qwest has the incentive to use its
22 pricing flexibility to recover integration costs from business customers long
23 before they enjoy savings from the alleged synergies. Clearly, the Commission in
24 2006 could not have envisioned such a major change in Qwest's corporate status
25 and its financial needs. It is unrealistic to ignore this effect of the merger by
26 allowing Qwest to continue to enjoy its current broad pricing flexibility for
27 business services.

28
29 I am not suggesting re-regulation. I am only suggesting a condition of approval
30 that will ensure that end-users of the merged company's services will be no worse

1 off for the merger having been consummated. As noted earlier, the absence of
2 harm to the public is a necessary requirement to a finding that the transaction is in
3 the public interest. My proposal is for temporary price caps on only a handful of
4 basic services, not a regulation of all rates. It is intended to cover the short period
5 during which the pressure for increased revenue will be most forceful.

6
7 **SERVICE QUALITY CONCERNS**

8
9 **Q. WHY ARE YOU CONCERNED ABOUT THE SERVICE QUALITY**
10 **RESULTING FROM THIS TRANSACTION?**

11
12 A. As noted earlier in my testimony, several recent large wireline acquisitions have
13 resulted in severe service quality degradation. I am concerned that this pattern not
14 be repeated in Arizona following the acquisition of Qwest by CenturyLink. This
15 concern is amplified by the service quality indicators published by the Federal
16 Communications Commission ("FCC") that are recorded in DoD/FEA Exhibit 4
17 attached to this testimony. In every case but one, CenturyLink scores no better or
18 worse than Qwest, suggesting that its standards of service are not as high as those
19 of Qwest.

20
21 But even within Qwest, Arizona is an outlier. Large and mid-sized local exchange
22 carriers ("LECs") submit the number of trouble reports per month per 100 lines to
23 the FCC on an annual basis under the Automated Reporting Management
24 Information System ("ARMIS"). This statistic includes both initial and repeat
25 troubles on both residence and business lines. For 2009, Qwest experienced an
26 aggregate average of 0.98 trouble reports per 100 lines per month for its 15 study
27 areas. For Arizona, however, Qwest noted 1.31 trouble reports per 100 lines per
28 month, which was the highest of all of the Company's 15 study areas.³¹ The

³¹ "Total Trouble Reports per Month per 100 Lines (Includes Initial and Repeat Trouble Reports) for Large ILEC Study Areas, Business & Residence", 2009, p. 1.

1 ARMIS aggregate CenturyTel and Embarq (now part of CenturyLink) measures
2 are even worse, at 1.56 and 1.65 respectively.³²
3

4 These comparisons do not bode well for the service quality that can be expected
5 in Arizona following the transfer of Qwest to CenturyLink ownership. That
6 service quality could decline further, for two reasons.
7

8 The first reason has already been noted: the pressure to finance the
9 implementation of the merger. While revenue enhancement may be one source of
10 the funds for the merger implementation, another source could be cost cutting in
11 the form of reduced resources, including capital investment and manpower
12 devoted to plant maintenance and customer service. Obviously, this kind of cost
13 cutting would lead to a deterioration of service performance.

14 The other reason for concern is the incompatibility of the Qwest and CenturyLink
15 operating support systems. To achieve the promised synergies, CenturyLink will
16 have to integrate its protocols and IT systems with those of Qwest. As noted in the
17 earlier quotation from the Company's 10-Q report (pages 10-11), CenturyLink
18 has conceded that this integration could pose severe difficulties. Past experience
19 has demonstrated that these difficulties can result in degraded service
20 performance and excessive costs.

21 **Q. THE APPLICANTS STATE EMPHATICALLY THAT QWEST WILL**
22 **CONTINUE TO OPERATE AS IT DOES NOW, SO WHY ARE YOU**
23 **CONCERNED?**

24 **A.** While the corporate identity of Qwest may continue,³³ the Applicants' claimed
25 network and operational synergies can only be realized through the integration of
26 Qwest's management and operations support systems with those of CenturyLink.
27 That means that Qwest or CenturyLink will eventually have to cut all protocols

³² "Total Trouble Reports per Month per 100 Lines (Includes Initial and Repeat Trouble Reports) for Mid-Sized ILEC Study Areas, Business & Residence", 2009, p. 5.

³³ Direct Testimony of Kristen McMillan, pp. 5-6.

1 over to a common format. As I have noted, in previous cases this cutover has
2 proved to be difficult, costly and highly disruptive to both retail and wholesale
3 customers.

4 For these reasons, it is important for the Arizona Commission to maintain close
5 surveillance over CenturyLink's service performance. To be a deterrent against
6 service degradation, the Commission should monitor the merged company's
7 service performance and be prepared to react quickly, if need be by imposing
8 sanctions if service quality deteriorates.

9 **Q. ARE THERE CURRENTLY SERVICE QUALITY STANDARDS FOR**
10 **QWEST?**

11
12 **A.** Yes. Qwest's tariff contains a "Service Quality Plan" that establishes standards
13 for service interruptions, held orders, out-of-service clearances, and business and
14 repair office response times. It also establishes quarterly reporting requirements,
15 construction standards and minimum service availabilities. Importantly, it
16 enforces these standards with bill credits and monetary penalties and offsets for
17 each of these metrics. For example, the 2006 Plan provides that if a Qwest wire
18 center fails to clear at least 50 percent of its out-of-service reports in less than 24
19 hours, Qwest is penalized \$4,000 per day as long as that condition prevails. This
20 penalty drops to \$2,000 per day if the 24-hour clearances are between 50 and 70
21 percent, and to \$1,000 if the clearances are between 70 and 80 percent. But if
22 Qwest can clear over 90 percent of its trouble reports in 24 hours, it receives an
23 offset, or credit, of \$1,000 per day to apply against other penalties. This offset
24 increases to \$2,000 for clearances over 90 percent and to \$4,000 if it can clear
25 more than 95 percent of its trouble reports in 24 hours.

26
27 The Price Cap Plan of 2006 provided further enhancements to this system of
28 penalties and offsets.

29
30 **Q. IS THIS SERVICE QUALITY PLAN ADEQUATE FOR PURPOSES OF**
31 **MAINTAINING HIGH SERVICE QUALITY?**

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A. Yes. However, as part of its order approving the merger, the Commission should state explicitly that the current Qwest Service Quality Plan continues to apply to the merged company. With that proviso, I believe the Plan is adequate. However, there are two further enhancements that probably should be made. First, the reporting should be accelerated from quarterly to monthly. The present arrangement builds in a delay of several months between the time the service performance falls below any standard and the time that failure is known to the Commission. The increased frequency of reports would provide the Commission with more current notice of the state of the merged company's service. My recommendation imposes no hardship on the company because it already records the metrics on a monthly basis.

Second, the penalties and offsets should be cleared quarterly instead of annually. The present plan would allow Qwest's service to decline for an entire year before the Company experiences any monetary consequence. A more timely imposition of penalties and offsets would provide the Commission more immediate control and would increase the sense of urgency for the company to address declining service quality if it should occur.

These two recommendations should apply for a period of three to five years to cover the duration of the management and operational integration.

OTHER CONCERNS

Q. DO YOU HAVE ANY OTHER CONCERNS REGARDING THIS MERGER?

A. Yes. My concern relates specifically to government services. Included in the "risks" section of CenturyLink's second quarter 2010 SEC Form 10-Q is the following statement:

1 We may be unable to obtain security clearances necessary to
2 perform certain Qwest government contracts. Certain Qwest legal
3 entities and officers have security clearances required for Qwest's
4 performance of customer contracts with various government
5 entities. Following the merger, it may be necessary for us to obtain
6 comparable security clearances. If we or our officers are unable to
7 qualify for such security clearances, we may not be able to
8 continue to perform such contracts.³⁴
9

10 **Q. IS THERE ANYTHING THE COMMISSION CAN DO TO ADDRESS**
11 **THIS CONCERN?**
12

13 A. The issue of security clearances is a possible negative factor associated with the
14 merger over which the Commission has little control. Possibly the Commission
15 could require that as a condition of approval there be no personnel changes that
16 would jeopardize government contracts until all of the affected personnel have the
17 required clearances.
18

19 **SUMMARY OF RECOMMENDATIONS**
20

21 **Q. PLEASE SUMMARIZE YOUR RECOMMENDATIONS.**
22

23 A. In this testimony, I have recommended that, as conditions of approval of the
24 merger:

- 25
- 26 • The Commission impose either a firm three year cap, or a five year
- 27 inflation-adjusted cap, on single and multiple-line business rates, PBX and
- 28 Centrex rates, and the rates for special access service.
- 29
- 30 • The Commission extend Qwest's Service Quality Plan to the new
- 31 company.
- 32
- 33 • The reporting under the Service Quality Plan be accelerated from quarterly
- 34 to monthly.
- 35
- 36 • The clearing of penalties and offsets should occur quarterly rather than
- 37 annually.

³⁴ CENTURYTEL INC, Form 10-Q, filed August 6, 2010, p. 34. See DoD/FEA Exhibit 3.

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Q. DOES THIS COMPLETE YOUR TESTIMONY?

A. Yes. It does, although I should note that there are some aspects of this transaction that I have not addressed. These include such issues as the likelihood of cost savings from the transaction, the quality and extent of the merged company's broadband services, the extent to which past obligations will affect the new entity, and the wholesale market policies and the interfaces between the Company and its CLEC competitors. My silence on such issues does not mean that they are not important to DoD/FEA or that DoD/FEA will not address them later in this proceeding.³⁵

³⁵ I should also note that the discovery process is not completed. It is possible that further responses may require supplemental testimony.

Experience

Snavelly King Majoros O'Connor & Lee, Inc. Washington, DC

*President (1989 to Present)
Vice President (1970 - 1989)*

Mr. King, a founder of the firm and acknowledged authority on regulatory economics, brings over thirty years of experience in economic consulting to his direction of the firm's work in transportation, utility and telecommunications economics.

Mr. King has appeared as an expert witness on over 300 separate occasions before more than thirty state and nine U.S. and Canadian federal regulatory agencies, presenting testimony on rate base calculations, rate of return, rate design, costing methodology, depreciation market forecasting, and ratemaking principles. Mr. King has also testified before House and Senate Committees on energy and telecommunications legislation pending before the U.S. Congress.

In telecommunications, Mr. King has testified before the Federal Communications Commission on a number of policy issues, service authorization, competitive impacts, video dialtone, and prescription of interstate depreciation rates. Before state regulatory bodies, he has presented testimony in proceedings on intrastate rates, costs earnings and depreciation.

Mr. King has testified in electric, gas and water utility cases on virtually every aspect of regulation, including cost of capital, revenue requirements, depreciation, cost allocation and rate design. Mr. King is one of the nation's leading authorities on utility depreciation practices, having testified on this subject in several dozen cases before state regulatory bodies.

In addition to his appearances as a witness in judicial and administrative proceedings, Mr. King has negotiated settlements among private parties and between private parties and regulatory offices. Mr. King also has directed depreciation studies, investment cost benefit analyses, demand forecasts, cost allocation studies and antitrust damage calculations. Mr. King directed analyses of the prices of services under Federal Government's FTS2000 long distance system.

In Canada, Mr. King designed and directed an extended inquiry into the principles and procedures for regulating the telecommunication carriers subject to the jurisdiction of the Canadian Transport Commission. He also was the principal investigator in the Canadian Transport Commission's comprehensive review of rail costing procedures.

EBS Management Consultants, Inc., Washington, DC

*Director, Economic Development Department
(1968-1970)*

Mr. King organized and directed a five-person staff of economists performing research, evaluation, and planning relating to economic development of depressed areas and communities within the U.S. Most of this work was on behalf of federal, state, and municipal agencies responsible for community or regional economic development.

Principal Consultant (1966-1968)

Mr. King conducted research on a broad range of economic topics, including transportation, regional economic development, communications, and physical distribution.

W.B. Saunders & Company, Inc., Washington, DC

Staff Economist (1962-1966)

For this economic consulting firm, which later merged with EBS Management Consultants, Inc., Mr. King engaged in numerous research efforts relating primarily to economic development and transportation.

U.S. Bureau of the Budget, Office of Statistical Standards

Analytical Statistician (1961-1962)

Mr. King was responsible for the review of all federal statistical and data-gathering programs relating to transportation.

Education

Washington & Lee University, B.A. in Economics

*The George Washington University, M.A. in
Government Economic Policy*

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Appearances before State Regulatory Agencies

Electric, Gas, Water Utility Cases					
State	Client	Case		Date	
		Case Number	Utility		
AK	Exxon USA	P-89-1,2	Trans Alaska Pipeline System	October 18, 1990	
AZ	Arizona Corporation Commission Arizona Retailers Association	U-1345-I U-1345-II	Arizona Public Service Co. Arizona Public Service Co.	December 16, 1980 January 15, 1981	
CA	California Retailers Association California Retailers Association California Retailers Association California Retailers & California Manufacturers California Retailers Association	57666 57602 59351 59351 61138	Pacific Gas & Electric Co. Southern California Edison Pacific Gas & Electric Co. Southern California Edison Southern California Edison	March 6, 1978 April 25, 1978 June 12, 1981 May 20, 1982 May 28, 1982	
CO	U. S. Department of Defense J.C. Penney Company U.S. Department of Defense U. S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense	I&S 1100 5693 I&S 1339 I&S 1540 C. Council C. Council C. Council C. Council	Colorado Springs (Elec) All Electric Utilities Colorado Springs DPU (Gas) Colorado Springs DPU (Gas) Colorado Springs DPU (Gas) Colorado Springs DPU (Elec) Colorado Springs DPU (Elec) Colorado Springs DPU (Elec)	June 14, 1977 March 8, 1978 October 18, 1979 February 9, 1982 September 30, 1984 June 6, 1985 May 19, 1986 June 30, 1987	
CT	Retailers Merchants Association Division of Consumer Counsel Public Utilities Control Auto Division of Consumer Counsel Division of Consumer Counsel Division of Consumer Counsel Division of Consumer Counsel Coalition of Hotels, Alloys & Retailers Coalition of Hotels, Alloys & Retailers	72-0204 76-0604,5 78-0303 80-0403,4 81-0413 81-0602,4 82-0701 85-10-22 87-07-01	Various Electric Utilities CL&P and HELCO Bridgeport Hydraulic Co. CL&P and HELCO United Illuminating Company CL&P and HELCO CL&P CL&P CL&P	July 22, 1976 November 10, 1977 (none) August 11, 1980 July 20, 1981 October 5, 1981 September 28, 1982 (none) April 25, 1988	

Electric, Gas, Water Utility Cases				
State	Client	Case		Date
		Case Number	Utility	
DC	D.C. People's Counsel	685	Potomac Electric Power Company	March 6, 1978
	D.C. People's Counsel	715	Potomac Electric Power Company	(none)
	D.C. People's Counsel	725	Potomac Electric Power Company	April 4, 1980
	D.C. People's Counsel	737	Potomac Electric Power Company	January 1, 1981
	Washington Metro Area Transit Authority	748	Potomac Electric Power Company	June 26, 1981
	Washington Metro Area Transit Authority	758	Potomac Electric Power Company	December 15, 1981
	D.C. People's Counsel	785	Potomac Electric Power Company	September 21, 1982
	Washington Metro Area Transit Authority	759	Potomac Electric Power Company	March 29, 1984
	D.C. People's Counsel	685 Remand	Potomac Electric Power Company	June 10, 1985
	D.C. People's Counsel	905	Potomac Electric Power Company	August 20, 1991
	D.C. People's Counsel	912	Potomac Electric Power Company	May 7, 1992
	D.C. People's Counsel	834, III	Potomac Electric Power Company	May 22, 1992
	D.C. People's Counsel	917	Potomac Electric Power Company	September 24, 1992
	D.C. People's Counsel	922	Washington Gas Light Company	June 15, 1993
	D.C. People's Counsel	929	Potomac Electric Power Company	December 16, 1993
	D.C. People's Counsel	934	Washington Gas Light Company	Filed April 22, 1994
	D.C. People's Counsel	939	Potomac Electric Power Company	March 16, 1995
	D.C. People's Counsel	917	Potomac Electric Power Company	April 16, 1995
	D.C. People's Counsel	951	Potomac Electric Power Company	February 20, 1997
	D.C. People's Counsel	945	Potomac Electric Power Company	September 29, 1999
	D.C. People's Counsel	847	Washington Gas Light Company	June 27, 2001
	D.C. People's Counsel	989	Washington Gas Light Company	May 22, 2002
	D.C. People's Counsel	1016	Washington Gas Light Company	September 23, 2003
	D.C. People's Counsel	1053	Potomac Electric Power Company	June 27, 2007
DE	Delaware PSC Staff	94-164	Artesian Water Company	Filed March 10, 1995
	Delaware PSC Staff	94-149	Wilmington Suburban Water Company	March 10, 1995
	Delaware PSC Staff	04-152	Tidewater Utilities Company	Filed July 26, 2004
FL	Florida Retail Federation	790593-EU	All Electric Utilities	March 5, 1981
	Florida Retail Federation	810002-EU	Florida Power and Light Company	July 23, 1981
	Florida Retail Federation	820097-EU	Florida Power and Light Company	September 22, 1982
	Florida Retail Federation	820097-EU	Florida Power and Light Company	April 11, 1983
	Florida Retail Federation	830012-EU	Tampa Electric Company	August 19, 1983
	Florida Retail Federation	830465-EI	Florida Power and Light Company	April 19, 1984
	Florida Retail Federation	830465-EI	Tampa Electric Company	(none)

CHARLES W. KING
Appearances before State Regulatory Agencies

Attachment B
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Electric, Gas, Water Utility Cases				
State	Client	Case		Date
		Case Number	Utility	
GA	Georgia Retail Federation	3270-U	Georgia Power Company	September 3, 1981
	Georgia Public Service Commission	4007-U	Georgia Power Company	August 21, 1991
	Georgia Public Service Commission	4384-U	All Electric Utilities	August 1, 1993
	Georgia Public Service Commission	4755-U	Georgia Power Company	January 25, 1994
	Georgia Public Service Commission	4697-U	All Utilities	May 10, 1994
	Georgia Public Service Commission	9355-U	Georgia Power Company	November 4, 1998
	Georgia Public Service Commission	14000-U	Georgia Power Company	October 23, 2001
	Georgia Public Service Commission	14618-U	Savannah Electric & Power Company	March 27, 2002
	Georgia Public Service Commission	14311-U	Atlanta Gas Light Company	April 8, 2002
	Georgia Public Service Commission	17066-U	Georgia Power Company	July 31, 2003
	Georgia Public Service Commission	18300-U	Georgia Power Company	October 26, 2004
	Georgia Public Service Commission	18638-U	Atlanta Gas Light Company	March 14, 2005
	Georgia Public Service Commission	19758-U	Savannah Electric & Power Company	March 29, 2005
	Georgia Public Service Commission	20298-U	Atmos Energy Corp.	October 11, 2005
	Georgia Public Service Commission	25060-U	Georgia Power Company	Filed October 22, 2007
	Georgia Public Service Commission	27163	Atmos Energy Corp.	August 16, 2008
	HI	Public Utilities Department Hawaii Consumer Advocate	2793 4536	All Electric Utilities Hawaiian Electric Company
IL	Illinois Retail Merchants Association ("IRMA")/ Chicago Bldg. Mgrs. Association ("CBMA")	76-0698	Commonwealth Edison	June 22, 1977
	IRMA/CBMA	76-0568	All Electric Utilities	(none)
	IRMA/CBMA	80-0546	Commonwealth Edison	March 5, 1981
	IRMA/CBMA	82-0026	Commonwealth Edison	July 22, 1982
	IRMA/CBMA	83-0537	Commonwealth Edison	March 19, 1984
	IRMA/CBMA	87-0427	Commonwealth Edison	March/April 22, 1988
	IRMA/CBMA	90-0169	Commonwealth Edison	October 29, 1990
	City of O'Fallon, IL	02-0690	Illinois-American Water Company	Filed Feb.5, Apr.11,2003
IN	Indiana Retail Council	35780-S2	N. Ind. Public Service co.	June 1, 1980
	Indiana Retail Council	35780-S1	Public Service of Indiana	October 15, 1980
	Indiana Retail Council	36318	Public Service of Indiana	May 4, 1982
KS	J.C. Penney Company	115,379-U	All Kansas Utilities	January 22, 1981

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Appearances before State Regulatory Agencies

State	Electric, Gas, Water Utility Cases				Date
	Client	Case		Utility	
		Case Number			
KY	Seven Kentucky Retailers	7310	Louisville Gas & Electric Co.	April 25, 1979	
	Attorney General of Kentucky	2002-145	Columbia Gas of Kentucky	Filed August 8, 2002	
	Attorney General of Kentucky	2003-252	Union Heat Light & Power Co.	September 30, 2003	
	Attorney General of Kentucky	2004-67	Delta Gas Company	August 18, 2004	
	Attorney General of Kentucky	2006-00546	Atmos Energy Corp.	Filed April 27, 2007	
	Attorney General of Kentucky	2007-00008	Columbia Gas of Kentucky	Filed June 12, 2007	
	Attorney General of Kentucky	2007-00089	Delta Gas Company	Filed August 14, 2007	
MA	Coalition of Municipalities	20279	Western Massachusetts Electric	March 19, 1980	
	Coalition of Municipalities	557/558	Western Massachusetts Electric	May 14, 1981	
	Coalition of Municipalities	957	Western Massachusetts Electric	March 9, 1982	
	Coalition of Municipalities	1300	Western Massachusetts Electric	January 1, 1983	
	Coalition of Municipalities	85-270	Western Massachusetts Electric	March 26, 1986	
MD	Maryland People's Counsel	6977	Washington Gas & Light Company	September 17, 1976	
	Maryland People's Counsel	6814	Potomac Electric Power Company	September 1, 1977	
	Maryland People's Counsel	6807	All Electric Utilities	(none)	
	Maryland People's Counsel	6882	Baltimore Gas & Electric Company	September 28, 1976	
	Maryland People's Counsel	6985	Baltimore Gas & Electric Company	December 20, 1976	
	Maryland People's Counsel	7070	Baltimore Gas & Electric Company	April 18, 1978	
	Maryland People's Counsel	7149	Potomac Electric Power Company	January 17, 1979	
	Maryland People's Counsel	7163	All Electric Utilities	October 23, 1978	
	Maryland People's Counsel	7236	Delmarva Power & Light Company	June 20, 1980	
	Retail Merchants of Baltimore	7397	Baltimore Gas & Electric Company	September 8, 1980	
	Maryland People's Counsel	7427	Delmarva Power & Light Company	December 2, 1981	
	Maryland People's Counsel	7574	Baltimore Gas & Electric Company	February 18, 1982	
	Maryland People's Counsel	7597	Potomac Electric Power Company	April 20, 1982	
	Organization of Consumer Justice	7604	Potomac Electric Power Company	October 19, 1982	
	Maryland People's Counsel	7588	Baltimore Gas & Electric Company	November 22, 1982	
	Maryland People's Counsel	7663	Potomac Electric Power Company	April 12, 1983	
	Retail Merchants of Baltimore	7685	Potomac Electric Power Company	December 9, 1985	
	Genstar Stone Products, et al.	7878	Potomac Electric Power Company	June 28/July 1986	
	Industrial Intervenor	7878	Potomac Electric Power Company	March 4, 1987	
	Maryland People's Counsel	7983	Baltimore Gas & Electric Company	January 8, 2003	
	Giant Foods, Inc.	8855	Baltimore Gas & Electric Company	September 29, 2005	
	Maryland People's Counsel	9036	Potomac Electric Power Company	April 16, 2007	
	Maryland People's Counsel	9092	Delmarva Power & Light Company	April 9, 2007	
	Maryland People's Counsel	9093	Washington Gas & Light Company	August 23, 2007	
	Maryland People's Counsel	9104	Baltimore Gas & Electric Company	September 24, 2007	
	Maryland People's Counsel	9096	Washington Gas & Light Company	Filed December 21, 2007	
Maryland People's Counsel	9103	Columbia Gas Company	January 6, 2009		
Maryland People's Counsel	9159	Delmarva Power & Light Company	September 25, 2009		
Maryland People's Counsel	9192	Potomac Electric Power Company	April 8, April 30 May 7, 2010		
		9217			

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Electric, Gas, Water Utility Cases				
State	Client	Case		Date
		Case Number	Utility	
MI	General Services Administration	U-10102	Detroit Edison Company	March 22, 1993
	Michigan Attorney General	U-11722	Detroit Edison Company	November 6, 1998
	Michigan Attorney General	U-11772	Consumers Energy/Detroit Edison	November 16, 1998
	Michigan Attorney General	U-11495	Detroit Edison Company	December 8, 1999
	Michigan Attorney General	U-11956	Consumer Energy/Detroit Edison	December 15, 1999
	Michigan Attorney General	U-12505	Consumers Energy Company	September 7, 2000
	Michigan Attorney General	U-12478	Detroit Edison Company	October 5, 2000
	Michigan Attorney General	U-12639	Consumers Energy/Detroit Edison	July 18, 2001
	Michigan Attorney General	U-13000	Consumers Energy Company	January 29, 2002
	Michigan Attorney General	U-13380	Consumers Energy Company	September 9, 2002
	Michigan Attorney General	U-13715	Consumers Energy Company	April 24, 2003
	Michigan Attorney General	U-13808	Detroit Edison Company	Dec 12, 2003; Jan 30, Mar 5, 04
	Michigan Attorney General	U-12999	Consumers Energy Company	March 10, 2004
	Michigan Attorney General	U-13898,9	Michigan Consolidated Gas Co.	August 23, 2004
	Michigan Attorney General	U-14201	Detroit Edison Company	Filed December 5, 2004
	Michigan Attorney General	U-14274	Consumers Energy Company	Filed February 15, 2005
	Michigan Attorney General	U-14148	Consumers Energy Company	Filed March 2, 25, 2005
	Michigan Attorney General	U-14399	Detroit Edison Company	July 29, 2005
	Michigan Attorney General	U-14428	Detroit Edison Company	September 7, 2005
	Michigan Attorney General	U-14292	All Michigan Utilities	September 27, 2005
	Michigan Attorney General	U-13808-R	Detroit Edison Company	November 7, 2005
	Michigan Attorney General	U-14547	Consumers Energy Company	Nov.7, 2005; Mar. 22, 2006
	Michigan Attorney General	U-14701	Consumers Energy Company	March 21, 2006
	Michigan Attorney General	U-14526	Consumers Energy Company	April 11, 2006
	Michigan Attorney General	U-14561	All Gas Distribution Utilities	June 1, 2006
	Michigan Attorney General	U-15002	Detroit Edison Company	December 8, 2006
	Michigan Attorney General	U-15245	Consumers Energy Company	December 11, 2007
	Michigan Attorney General	U-15417	Detroit Edison Company	April 2, 2008
	Michigan Attorney General	U-15244	Detroit Edison Company	July 15, 2008
	Michigan Attorney General	U-15506	Consumers Energy Company	September 12, 2008
	Michigan Attorney General	U-15002-R	Detroit Edison Company	October 16, 2008
	Michigan Attorney General	U-15645	Consumers Energy Company	April 27, July 30, 2009
	Michigan Attorney General	U-15768	Detroit Edison Company	July 9, July 30, 2009
	Louisiana Pacific Corp.	U-15981	Wisconsin Electric Power Co.	Dec 22, 2009; Jan 22, 2010
MN	Minnesota Retail Federation	EOO2/6R-77-611	Northern States Power	1979
MO	Missouri Retailers Association Missouri Public Counsel Missouri Public Counsel Missouri Public Counsel	EO-78-161 ER-2006-0315 GR-2007-0003 ER-2007-0002	Kansas City Power & Light Company Empire District Electric Company Ameren UE (Gas) Ameren UE (Electric)	February 19, 1981 September 14, 2006 Filed December 15, 2006 March 22, 2007
NC	North Carolina Merchants Association	E-100	All Electric Utilities	December 18, 1975

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State	Electric, Gas, Water Utility Cases				Date
	Client	Case		Utility	
		Case Number			
ND	North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission North Dakota Public Service Commission	PU-400-00-521 PU-399-01-186 PU-399-02-183 PU-399-02-183 PU-399-03-296 PU-04-97 PU-06-525 PU-07-776 PU-08-862	Xcel Energy, Inc. Montana-Dakota Utilities (Electric) Montana-Dakota Utilities (Gas) Montana-Dakota Utilities (Gas Depr.) Montana-Dakota Utilities (Electric) Montana-Dakota Utilities (Gas) Northern States Power (Gas) Northern States Power (Electric) Otter Tail Power Company	April 20, 2001 February 25, 2002 October 7, 2002 Filed April 7, 2003 Filed October 15, 2003 Filed July 6, 2004 Filed May 1, 2007 June 25, 2008 April 6, 2009	
NH	Business & Industry Association of N.H. Business & Industry Association of N.H. Business & Industry Association of N.H.	79-187-II 80-260 82-333	Public Service of N.H. Public Service of N.H. Public Service of N.H.	February 6, 1981 February 5, 1981 November 2, 1983	
NJ	N.J. Retail Merchants Association Department of Public Advocate Resorts International Hotel, Inc. Dept. of Public Advocate Dept. of Public Advocate Dover Township Fire Chiefs	803-151 815-459 8011-827 822-116 355-87 88-080967	All New Jersey Utilities N.J. Natural Gas Company Atlantic City Sewerage Co. Atlantic City Electric Co. Elizabethtown Gas Tom's River Water Company	March 31, 1981 (none) (none) August 11, 1982 June 9, 1987 February 22, 1989	
NY	NY Council of Retail Merchants Metropolitan N.Y. Retail Council Metropolitan N.Y. Retail Council N.Y. Metro. Transit Authority	26806 27029 27136 27353	All Electric Utilities Consolidated Edison Company Long Island Lighting Company Consolidated Edison Company	February 3, 1976 (none) July 1, 1977 September 5, 1980	
OH	Ohio Council of Retail Association Ohio Council of Retail Association Ohio Energy Group	88-170-EL 83-1529-EL 08-936-EL-SSO	Cleveland Elec. Illuminating Cincinnati Gas & Electric FirstEnergy Companies	(none) February 15, 1992 Filed September 25, 2008	

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State	Electric, Gas, Water Utility Cases			Date
	Client	Case		
		Case Number	Utility	
PA	Pennsylvania Retail Association Southeastern Pa. Transp. Authority Eastern Penn Energy Users Group Eastern Penn Energy Association Penn Business Utility User Group Pennsylvania Office of Consumer Advocate Pennsylvania Office of Public Advocate	76-PRMD-7 R-811626 R-822169 R-842651 R-850152 R-00016339 R-2008-203269	All Electric Utilities Philadelphia Electric Company Penn. Power & Light Company Penn. Power & Light Company Philadelphia Electric Company Pennsylvania-American Water Co. Pennsylvania-American Water Co.	September 7, 1977 December 11, 1981 March/April 1983 December 3, 1984 February 19, 1986 September 19, 2001 August 6, 2008; Sept. 15, 2008
TN	Attorney General of Tennessee Attorney General of Tennessee	07-00105 08-00039	Almos Energy Corp. Tennessee-American Water Co.	Filed August 21, 2007 August 26, 2007
TX	Houston Retailers Association Houston Retailers Association Cities for Fair Utility Rates	5779 6765 8425/8431	Houston Lighting Company Houston Lighting Company Houston Lighting Company	October 19, 1984 September 25, 1986 April 25, 1989
UT	Div. Of Public Utilities Dept of Commerce Div. Of Public Utilities Dept of Commerce Div. Of Public Utilities Dept of Commerce	98-2035-33 05-057-T01 07-035-13	Pacific Corp Quesstar Gas Company Rocky Mountain Power Co.	Filed August 16, Sept 22, 1999 May 17, 2006 Filed October 15, 2007
VA	Consumer Congress of Virginia Consumer Congress of Virginia Va. Business Committee on Energy Virginia Pipe Trades Council	19426 19860 PUE 7900012 PUE 8900051	Virginia Electric Power Company Virginia Electric Power Company Virginia Electric Power Company Old Dominion Electric Corp. &	July 1, 1975 September 19, 1978 February 25, 1981 October 31, 1989
WA	WA Attorney General - Public Counsel WA Attorney General - Public Counsel WA Attorney General - Public Counsel	UE-072300;UG-072301 UE-080220 UE-08416;UG-08417	Puget Sound Energy PacifiCorp Avista Utilities	Filed May 30, 2008 Filed August 15, 2008 September 19;October 10, 2008
WI	Wisconsin Merchants Federation	6630-ER-2	Wisconsin Electric Power Company	May 15, 1978

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State	Telecommunications Cases				Date
	Client	Case		Utility	
		Case Number			
AL	U.S. Department of Defense	24472	All Telephone Companies		June 14, 1995
AK	GCI Communications, Inc. GCI Communications, Inc.	U-97-82,U-97-143 U-05-46	Alaska Communications Systems Matanuska Telephone Association		Filed Feb 25, April 5, 2004 October 28, 2005
AZ	Arizona Burglar & Fire Alarm Association Arizona Burglar & Fire Alarm Association Federal Executive Agencies U.S. Department of Defense	9981-E- 1051-80-64 E-1051-88-146 T-01051B-99-0105	Mountain State Telephone Mountain State Telephone Mountain State Telephone US WEST Communications	(none) (none) Filed July 26, Sept 8, 2000	
CA	Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association Western Burglar & Fire Alarm Association California Cellular Resellers Federal Executive Agencies California Cellular Resellers Cellular Services, Inc. Federal Executive Agencies	59849 5984cont. A83-01-22 A83-02-02 A82-11-07 A85-01-034 A87-01-02 A88-07-17019 A.88-11-1040 1.87-11-033 1.88-11-040 1.88-11-040 A92-05-004	Pacific Telephone & Telegraph Pacific Telephone & Telegraph Pacific Telephone & Telegraph General Telephone of California Pacific Telephone & Telegraph Pacific Telephone & Telegraph General Telephone of California Pac. Bell Tel. & GTE of CA. All Cellular Carriers All Telephone Companies All Cellular Carriers All Cellular Carriers Pacific Telephone & Telegraph	March 25, 1981 June 23, 1982 June 29, 1983 January 17, 1984 Jan. 18, Oct. 31, Nov 28, 1984 June 4, 1985, October 2, 1986 October 22, 1987 January 23, 1989 August 11, 1989 March 6-7, 1991 August 19, 1991 October 3, 1991 June 9, 1993	
CO	U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense Colorado Municipal League U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense U.S. Department of Defense AT&T	I&S 717 I&S 1700 Appl. I&S 1766 Appl 36883 I&S 891-O82T 905-544T 90A-665T 92M-039T 92S-229T 90A-665T 96S-331T	Mountain Bell Telephone Company Mountain Bell Telephone Company Mountain Bell Telephone Company Mountain Bell Telephone Company U.S. West Communications U.S. West Communications U.S. West Communications U.S. West Communications U.S. West Communications U.S. West Communications U.S. West Communications	1972 (none) September 18, 1986 November 28, 1988 December 13, 1988 February 21, 1990 July 17, 1991 October 23, 1991 February 24-24, 1992 July 30-31, 1992 November 6, 1996 April 17, 1997	

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State	Telecommunications Cases				Date
	Client	Case		Utility	
		Case Number			
CT	Connecticut Consumer Counsel CT Cellular Resellers Assn. CT Cellular Resellers Coalition AT&T Connecticut Consumer Counsel Connecticut Consumer Counsel	770526 89-12-05 94-03-27 AT&T/SNET Arbitration 96-04-07 00-07-17		Southern New England Telephone Co Southern New England Telephone Co Springwich Cellular/Bell Atlantic Southern New England Telephone Co Southern New England Telephone Co Southern New England Telephone Co	November 10, 1977 (none) May 16, June, 1994 Filed October 28, 1996 February 10, 1998 December 5, 2000
DC	D.C. People's Counsel D.C. People's Counsel General Services Administration General Services Administration General Services Administration General Services Administration	729 798 827 854 850 926		Chesapeake & Potomac Tel. Co. Chesapeake & Potomac Tel. Co. Chesapeake & Potomac Tel. Co. Chesapeake & Potomac Tel. Co. Chesapeake & Potomac Tel. Co. Chesapeake & Potomac Tel. Co.	May 13, 1980 July 18, 1983 May 7, 1985 April 16, 1987 October 7, 1991 October 7, 1993
DE	Public Service Commission Federal Executive Agencies Public Service Commission	Depr. Repre 86-20 Depr. Repre		Diamond State Telephone Co. Diamond State Telephone Co. Diamond State Telephone Co.	April 1, 1985 July 31, 1987 March 8, 1988
FL	GTE Sprint Communications Company Office of Public Counsel Federal Executive Agencies Federal Executive Agencies Federal Executive Agencies	720536-TP Depr. Repre 880069-TL 880069-TL 880069-TL		All Telephone Companies Southern Bell Southern Bell Southern Bell Southern Bell	September 12, 1983 July 30, 1986 July 21, 1988 November 30, 1990 February 11, 1992
GA	Georgia Attorney General Federal Executive Agencies Federal Executive Agencies Georgia Public Service Commission	3893-U 3905-U 3987-U 4018-U		Southern Bell Telephone Co. Southern Bell Telephone Co. Southern Bell Telephone Co. Southern Bell Telephone Co.	January 8, 1990 June 12, 1990 February 13, 1992 Jan 14, Feb 10, 1993
HI	Hawaii Public Utility Commission Four Hawaii Counties Department of Defense Department of Defense Department of Defense Department of Defense	1871 4588 7579 94-0093 7702 94-0298 7720		Hawaiian Telephone Company Hawaiian Telephone Company Hawaiian Telephone Company Oceanic Communications All Communications Carriers GTE Hawaiian Telephone Company Verizon-Hawaii	July 8, 1971 December 15, 1983 April 26, 1994 March 13, 1995 June 2, 1995 May 7, 1996 November 15, 2000

Telecommunications Cases					
State	Client	Case		Date	
		Case Number	Utility		
ID	U.S. Department of Energy U.S. Department of Energy	U-1000-63 U-1000-70	Mountain Bell Telephone Co. Mountain Bell Telephone Co.	May 16, 1983 March 6, 1984	
IL	Illinois Alarm Companies Attorney General of Illinois GTE Sprint Communications Co. Federal Executive Agencies Federal Executive Agencies	79-0143 81-0478 83-0142 89-0033 09-0268	Illinois Bell Telephone Illinois Bell Telephone All Telephone Companies Illinois Bell Telephone Verizon-Frontier Sale	September 26, 1979 December 28, 1981 August 4, 1983 June 12, 1989 Oct.20, Dec.14, 2009	
KS	State Corporation Commission Federal Executive Agencies Federal Executive Agencies	Depr. Repr. 166.856-U 190, 492	Southwestern Bell Southwestern Bell All Telephone Companies	May 12-14, 1986 November 7, 1989 November 4, 1994	
KY	Kentucky Cable Telecommunications Assn. Kentucky Cable Telecommunications Assn.	2000-414 2000-39	Blue Grass Energy Cooperative Cumberland Valley Electric, Inc.	January 11, 2001 January 11, 2001	
MD	Maryland People's Counsel Maryland People's Counsel Maryland People's Counsel Maryland People's Counsel Federal Executive Agencies Federal Executive Agencies Federal Executive Agencies	6813 6881 7025 7467 7851 8106 8274	C&P Telephone Company C&P Telephone Company C&P Telephone Company C&P Telephone Company C&P Telephone Company C&P Telephone Company C&P Telephone Company	1975 December 17, 1975 March 15, 1975 October 20, 1981 March 20, 1985 May 9, 1988 August 2, 1990	
MI	Michigan Attorney General Michigan Attorney General	U-8911 U-9553	Michigan Bell Telephone Co. AT&T Communications/MCI	November 7, 1988 December 4, 1990	
MN	GTE Sprint Communications Co. U.S. Department of Defense	83-102-HC 87-021-BC	All Telephone Companies Northwest Bell Telephone Co.	August 5, 1983 (none)	

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Telecommunications Cases					Date
State	Client	Case		Utility	
		Case Number			
MO	GTE Sprint Communications Co. Federal Executive Agencies Federal Executive Agencies	TR83-253 TC-89-14 TO-89-56		Southwestern Bell Tel. Co. Southwestern Bell Tel. Co. Southwestern Bell Tel. Co.	September 5, 1983 (none) November 7, 1990
MS	Federal Executive Agencies	U-5453		South Central Bell Tel. Co.	May 15, 1990
NJ	Department of Public Advocate Department of Public Advocate Department of Public Advocate Department of Public Advocate Department of Public Advocate	Depr.Repr. 815-458 Depr.Repr. Depr.Repr. T092030358 TMO05080739		N.J. Bell Telephone Company N.J. Bell Telephone Company N.J. Bell Telephone Company N.J. Bell Telephone Company N.J. Bell Telephone Company United Telephone Co. of New Jersey	Mar-79 October 15, 1981 March 1, 1982 February 1, 1985 September 30, 1992 January 5,2006
NM	New Mexico Corporation Commission New Mexico Corporation Commission	1032 86-151-TC		Mountain Bell Telephone Co. General Telephone of Southwest	November 14, 1983 February 5, 1987
NV	Prime Cable of Las Vegas Prime Cable of Las Vegas	95-8034/8035 96-9035		Central Telephone - NV Sprint/Centel, Nevada Bell	Filed November 22, 1995 June 2, 1997
NY	Holmes Protection, Inc. Holmes Protection, Inc. 5 Alarm Companies GTE Sprint Communications Co.	27350 27469 27710 28425		New York Telephone Company New York Telephone Company New York Telephone Company All Telephone Companies	October 17, 1978 May 17, 1979 July 24, 1980 July 8, 1983
PA	City of Philadelphia	R-832316		Pennsylvania Bell Telephone	September 20, 1983
SC	Office of Consumer Advocate Office of Consumer Advocate Office of Consumer Advocate Office of Consumer Advocate U.S. Department of Defense	Depr.Repr. 86-511-C 86-541-C Depr.Repr. 89-180-C 2009-220-C		Southern Bell Southern Bell General Telephone of South Southern Bell ALLTEL of South Carolina Verizon/Frontier Communications	July 1, 1986 December 11, 1986 April 8, 1987 July 10, 1989 September 26, 1989 August 27, 2009

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State	Telecommunications Cases				Date
	Client	Case Number	Case	Utility	
TX	U.S. Department of Defense				
VA	U.S. Dept. Of Defense, GSA, et Federal Executive Agencies	8585/8218	Southwestern Bell Telephone Co.		
VI	V.I. Department of Commerce V.I. Public Service Commission	19896 PUC 890014	C&P Telephone Company All Telephone Companies		(none)
WA	U.S. Department of Defense	205 341	Virgin Islands Telephone Co. Virgin Islands Telephone Co.		October 6, 1976 February 13, 1989
	U.S. Department of Defense	U-72-39	Pacific Northwest Bell		April 29, 1980 March 20, 1991
	U.S. Department of Defense	U-87-796-T	Pacific Northwest Bell		1973
	U.S. Department of Defense	U-88-20524	US West Communications		December 20, 1983
	U.S. Department of Defense	U-89-2698-F	US West Communications		November 8, 1988
	U.S. Department of Defense	UT-940641	US West Communications		November 28, 1989
	U.S. Department of Defense	UT-941464	US West Communications		Filed October 14, 1994
	U.S. Department of Defense	UT-951425	US West Communications		June 22, 1995
	U.S. Department of Defense	UT-961632	US West Communications		January 22, 1996
	U.S. Department of Defense	UT-021120	US West Communications		Filed June 23, 1997
WV	U.S. Department of Defense	UT-040788	Verizon Communications		July 29, 1997
	U.S. Department of Defense	UT-040520	Verizon Northwest, Inc.		May 22, 2003
WI	U.S. Department of Defense	UT-050814	Verizon Northwest, Inc.		August 12, 2004
	U.S. Department of Defense	UT-090842	Verizon - MCI Merger		November 2, 2005
	U.S. Department of Defense	UT-090842	Verizon-Frontier Sale		Nov. 3, 2009; Jan 28, 2010
WI	GTE Sprint Wisconsin Consumers Utility Board Wisconsin Consumers Utility Board	09-0871-T-PC	Verizon-Frontier Sale		November 16, 2009
		6720-TR-38 2055-TR-102 5846-TR-102	All Telephone Companies CenturyTel of Central Wisconsin Telephone USA, LCC		October 20, 1983 June 26, 2002 June 26, 2002

Federal Communications Commission				
Client	Docket	Subject	Date	
Department of Defense Airline Parties Airline Parties National Data Corporation Press Wire Services Aeronautical Radio Department of Defense State of Hawaii International Record Carriers ITT World Communications Aeronautical Radio MCI Ind. Data Com. Mfg. Assn. Tymnet, Inc. Adelphia Jones Intercable, et. al. Adelphia Jones Intercable, et. al. Adelphia Jones Intercable, et. al.	16020 16258 18128 19989 19919 20814 20690 21263 CC78-97 CC84-633 CC78-72 CC84-800 CC85-26 ENF84-22 Bell Atlantic Bell Atlantic Bell Atlantic	Consat Rate of Return Bell System Rates TELPAC WATS Private Line Rates Private Line Rates 1,544 Mbps Service Interstate Separation Telex/TWX Rates Rate of Return Access Line Charges Rate of Return AT&T Accounting Plan Packet Switching Costs Video Dialtone Video Dialtone Video Dialtone	1973 July 22, 1968 3/22, 10/15 1971, Feb. 22, 1972 (none) (none) October 5, 1978 January 30, 1979 February 7, 1979 March 6, 1980 (none) (none) (none) (none) (none) Filed 7/29/94 Filed 8/23/94 Filed 2/21/95	
Nuclear Regulatory Commission				
Fauquier League for Environment Protection	50-328 50-329	Va. Electric Power Co.	1976	
Postal Rate Commission				
Association of Third Class Mail Users Dow Jones & Company Dow Jones & Company Dow Jones & Company Dow Jones & Company Dow Jones & Company Warshawsky & Company Dow Jones & Company Dow Jones & Company Dow Jones & Company Dow Jones & Company Dow Jones & Company	R71-1 R72-1 R74-1 MC76-2 MC79-3 R80-1 C82-1 R84-1 R87-1 R90-1 MC91-1 MC91-3	Rates Rates Rates Rate Structure Rate Structure Rates Rate Structure Postal Costs Rate Structure Costs Rate Structure Costs Pre-barcoding Discounts Palletization Discounts	1970 1972 September 13, 1974 January 6, 1979 September 12, 1979 November 25, 1980 (none) June 14, 1984 November 2, 1987 Sept 12, Oct 10, 1990 November 19, 1991 March 2, 1992	

Client	Docket	Subject	Date
U.S. Congress			
National Retail Merchants Association	House/Senate Hearings	Electric Rate Reform Legislation	1976, 1977 & 1979
National Wireless Resellers Association	House Commerce Committee	Interconnection & Resale of Wireless Services	October 12, 1995
Federal Maritime Commission			
State of Hawaii Foss Alaska Line Palmetto Shipping and Stevedoring	71-18 79-54 85-20	Ocean Shipping Rates Barge Rate Increase Vessel Charge Liability	October-71 July 1979 October 27, 1986
Interstate Commerce Commission - Surface Transportation Board			
Western Coal Traffic League Western Coal Traffic League Western Coal Traffic League Arkansas Power & Light Co. Central Illinois Light Co. Western Coal Traffic League Snively King Majors O'Connor & Lee, Inc. Williams Energy Services, Inc	Ex Parte 349 Ex Parte 357 Ex Parte 375 (Sub1) 37276 37450 Ex Parte 347 Ex Parte 664 Ex Parte 582, Sub 1	R.R. Rate Increase R.R. Rate Increase R.R. Rate Increase Cost of Capital Cost of Capital Costing Methods Cost of Capital Rail Merger Guidelines	May-76 Oct-78 June 1, 1980 (none) March 10, 1981 (none) December 8, 2006 April 5, 2001
Civil Aeronautics Board			
Thomas Cook, Inc.	36595	Air Fare Deregulation	(none)
Copyright Royalty Tribunal			
Public Broadcasting Service	88-2-86CD	Television Valuation	(none)

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Client	Docket	Subject	Date
Federal Energy Regulatory Commission			
Exxon USA Consumer Advocates of DE,DC,OH,MD,NJ,PA,WV,VA Consumer Advocates of DE,DC,OH,MD,NJ,PA,WV Maryland Office of People's Counsel Maryland Office of People's Counsel Louisiana Public Service Commission Maryland Office of People's Counsel	OR89-2-000 ER08-386-000 ER08-23-000 ER08-686-01 ER08-1329 ER09-1224 ER10-355	Pipeline Quality Bank Electric Transmission Cost of Equity Electric Transmission Cost of Equity Electric Transmission Cost of Equity Electric Transmission Cost of Equity Depreciation Electric Transmission Cost of Equity	October 18, 1990 March 26, 2008 May 21, 2008 April 7, 2008; July 8, 2008, August, 2008 March 2010 December 22, 2010
Canadian Transport Commission			
Rail Costing Inquiry, 1967-1969 Telecommunications Costing Inquiry, 1972-1975			